

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF
TENNESSEE

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U. S. DISTRICT COURT
MID. DIST. TENN.

DE'MARIO DRIVER
Plaintiff

VS.

FRANK FARISH
MICHAEL FERRISH
JORGE SANTIAGO
JAMES LINDSEY
EARL JOHNSON
QUINTEZ BURKE
JOHN DOE I
JOHN DOE II

CASE NO. 3:13-CV-1087

DECLARATION IN SUPPORT OF PLAINTIFF'S MOTION
FOR THE APPOINTMENT OF COUNSEL

1. I am the Plaintiff in the above-entitled case. I make this declaration in support of my motion for this ~~an~~ appointment of counsel.
2. The complaint in this case alleges the Plaintiff was subjected to the misuse of Force by several correctional officers, some of whom actively beat and kicked him and others of whom watched and failed to intervene. It alleges that supervisory officials were aware of the violent propensities of some of the and are liable for ~~for~~ failing to take action to control them.
3. This is a complex case because it contains several different legal claims, with each claim involving a different set of defendants.
4. The Plaintiff has demanded a jury trial.

5. The case will require discovery of documents and depositions of a number witness.
6. The testimony will be in sharp conflict, since the Plaintiff alleges that the defendants Assaulted him
7. The Plaintiff has a special education and has no legal education
8. The Plaintiff is on maximum security. For this reason, he has very limited access to legal materials and has no ability to investigate the facts of the case, for example, by locating and interviewing other inmates who were eyewitnesses to his beating.
9. As set forth in the Memorandum of law submitted with this motion, these facts, along with the legal merit of Plaintiff's claim, support the appointment of counsel to represent the Plaintiff.


WHEREFORE, the Plaintiff's motion for appointment of counsel should be granted

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Signed this 2 day of ^{April}~~MARCH~~ 20 14.

Signed. DeMario Driver

Respectfully Submitted



DEMARIO DRIVER

RMS I

7475 COCKRILL BEND BLVD
Nashville, TN 37209

CERTIFICATE OF SERVICE

I hereby certify that on 2 day of ~~MARCH~~^{April}, 2014, that
I did serve a copy of this document via regular U.S.
Mail with first Class postage affixed thereto upon the
following:

Quntez Burke

Represented by: Arthur Crownover, II
Tennessee Attorney General's office
P.O. Box 20207
Nashville, TN 37202

EARL JOHNSON

Represented by: Arthur Crownover, II
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DEMARIO DRIVER #417678